

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN W. BURTON,

Defendant.

4:21CR3020

NOTICE OF INTENT TO
INTRODUCE EVIDENCE PURSUANT
TO FEDERAL RULE OF
EVIDENCE 404(b)(2) AND
RULE 414(a)

Comes now the United States of America, by and through the undersigned attorney, and herby provides notice of its intent to introduce evidence pursuant to Federal Rules of Evidence 404(b)(2) and 414(a) in its case against John W. Burton (hereafter “Burton”).

1. Burton is charged in Count One with possession of child pornography, and in Count Two with intent to access child pornography, both in violation of in violation of 18 U.S.C. § 2252(a)(4)(B). (Filing 1)
2. Burton has a prior conviction for sexually assaulting a child. (See Filing 53-1 and Filing 53-2.)
3. The above-described prior conviction, which the Government plans to prove through witness testimony and certified documents, is relevant evidence of Burton’s motive, opportunity, intent, knowledge, identity, absence of mistake, or lack of accident, and is admissible pursuant to Fed. R. Evid. 404(b). Additionally, the prior conviction is admissible under Fed. R. Evid. 414(a).

Respectfully submitted this 27th day of January 2023,

UNITED STATES OF AMERICA, Plaintiff

STEVEN A. RUSSELL

United States Attorney

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By:



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